



General Assembly

February Session, 2022

Raised Bill No. 296

LCO No. 2205



Referred to Committee on HOUSING

Introduced by:
(HSG)

***AN ACT ELIMINATING THE REQUIREMENT TO STORE THE
PERSONAL PROPERTY OF EVICTED TENANTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 47a-42 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) Whenever a judgment is entered against a defendant pursuant to
4 section 47a-26, 47a-26a, 47a-26b or 47a-26d for the recovery of
5 possession or occupancy of residential property, such defendant and
6 any other occupant bound by the judgment by subsection (a) of section
7 47a-26h shall forthwith remove himself or herself, such defendant's or
8 occupant's possessions and all personal effects unless execution has
9 been stayed pursuant to sections 47a-35 to 47a-41, inclusive. If execution
10 has been stayed, such defendant or occupant shall forthwith remove
11 himself or herself, such defendant's or occupant's possessions and all
12 personal effects upon the expiration of any stay of execution. If the
13 defendant or occupant has not so removed himself or herself upon entry
14 of a judgment pursuant to section 47a-26, 47a-26a, 47a-26b or 47a-26d,
15 and upon expiration of any stay of execution, the plaintiff may obtain

16 an execution upon such summary process judgment, and the defendant
 17 or other occupant bound by the judgment by subsection (a) of section
 18 47a-26h and the possessions and personal effects of such defendant or
 19 other occupant may be removed by a state marshal, [pursuant to such
 20 execution, and delivered to the place of storage designated by the chief
 21 executive officer for such purposes.]

22 (b) Before any such removal of the possessions and personal effects
 23 of the defendant's or other occupant under this section, the state marshal
 24 charged with executing upon any such judgment of eviction shall give
 25 the chief executive officer of the town twenty-four [hours] hours' notice
 26 of the eviction, stating the date, time and location of such eviction as
 27 well as a general description, if known, of the types and amount of
 28 property to be removed from the premises. [and delivered to the
 29 designated place of storage. Before giving such notice to the chief
 30 executive officer of the town, the state marshal shall use reasonable
 31 efforts to locate and notify the defendant of the date and time such
 32 eviction is to take place and of the possibility of a sale pursuant to
 33 subsection (c) of this section.] Such notice shall include service upon
 34 each defendant and upon any other person in occupancy, either
 35 personally or at the premises, of a true copy of the summary process
 36 execution. Such execution shall be on a form prescribed by the Judicial
 37 Department, shall be in clear and simple language and in readable
 38 format, and shall contain, in addition to other notices given to the
 39 defendant in the execution, a conspicuous notice, in large boldface type,
 40 that a person who claims to have a right to continue to occupy the
 41 premises should immediately contact an attorney. [, and clear
 42 instructions as to how and where the defendant may reclaim any
 43 possessions and personal effects removed and stored pursuant to this
 44 section, including a telephone number that may be called to arrange
 45 release of such possessions and personal effects.]

46 (c) Whenever the possessions and personal effects of a defendant or
 47 other occupant are removed by a state marshal under this section, such
 48 [possessions and effects shall be delivered by such marshal to the
 49 designated place of storage. Such removal, delivery and storage shall be

50 at the expense of the defendant. If such possessions and effects are not
 51 reclaimed by the defendant and the expense of such storage is not paid
 52 to the chief executive officer within fifteen days after such eviction, the
 53 chief executive officer shall sell the same at public auction, after using
 54 reasonable efforts to locate and notify the defendant of such sale and
 55 after posting notice of such sale for one week on the public signpost
 56 nearest to the place where the eviction was made, if any, or at some
 57 exterior place near the office of the town clerk. The chief executive
 58 officer shall deliver to the defendant the net proceeds of such sale, if any,
 59 after deducting a reasonable charge for storage of such possessions and
 60 effects. If the defendant does not demand the net proceeds within thirty
 61 days after such sale, the chief executive officer shall turn over the net
 62 proceeds of the sale to the town treasury] removal shall be at the expense
 63 of such defendant.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2022	47a-42
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Statement of Purpose:

To eliminate the requirement that landlords or municipalities store the personal property of evicted tenants.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]